

Docket No.: 114205.1200

PATENT

DECLARATION AND POWER OF ATTORNEY

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As below named inventors, we hereby declare that:

Our residence, post office and citizenship are as stated below next to our names,

We believe that we are the original, first and sole inventors (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled, **GLUCOSE REGULATED mRNA INSTABILITY ELEMENT**, the specification of which is [] is attached hereto [X] was filed on November 8, 1999, as Application Serial No. 09/435,471 and was amended on (if applicable)

We hereby state that We have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is known to us to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>

We hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):	
<u>Application Number</u>	<u>Filing Date</u>

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Application(s):		
<u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

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PATENT

I hereby appoint the following attorney(s) and/or agent(s) listed at the following customer number:

021269



21269

PATENT TRADEMARK OFFICE

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to the address at the aforementioned customer number.

Full name of sole or first inventor: Denise R. Cooper

Inventor's signature: Denise R. Cooper

Date: 2/22/00

Residence: 4096 40th St. S., St. Petersburg, FL 33711

Citizenship: USA

Post Office Address:

Full name of second inventor: Niketa A. Patel

Inventor's signature: Niketa Patel

Date: 2/22/00

Residence: 1403 BAYCREST DRIVE, WESLEY CHAPEL, FL 33543

Citizenship: USA PERMANENT RESIDENT. [CITIZENSHIP: INDIA]

Post Office Address:

Applicant or Patentee: Denise R. Cooper and Niketa A. Patel Attorney's Docket No.: 114205.1200
 Serial or Patent No.: 09/435,471
 Filed or Issued: November 8, 1999
 For: INTRODUCTION OF A GLUCOSE-REGULATED INSTABILITY ELEMENT VIA ALTERNATIVE EXON
INCLUSION OF PKC β II mRNA IN VASCULAR SMOOTH MUSCLE CELLS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: UNIVERSITY OF SOUTH FLORIDA
 ADDRESS OF ORGANIZATION: 4202 E. Fowler Avenue FAO126, Tampa, Florida 33620-7900

TYPE OF ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
 (Name of State: _____)
 (Citation of Statute: _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 (Name of State: _____)
 (Citation of Statute: _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled by inventor(s) described in

- ☐ the specification filed herewith
☒ application Serial No. 09/435,471, filed November 8, 1999.
☐ patent no., issued.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or by a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

K.G. Preston

TITLE IN ORGANIZATION:

Assoc. V.P. for Research

ADDRESS OF PERSON SIGNING:

4202 E Fowler Ave, Tampa FL 33620

SIGNATURE:

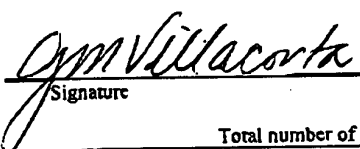
[Signature]

DATE:

3/15/02

DC: #138648 v1 (ZYZC011.WPD)

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FORM PTO-1596 1-31-92		RECORDATION FORM COVER SHEET		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	
DOCKET NO.: 114205.1200		PATENTS ONLY			
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof:					
1. Name of conveying party(ies): Denise R. COOPER and Niketa A. PATEL Additional name(s) of conveying party(ies) attached? Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies): Name: <u>Univeristy of South Florida</u> Internal Address: _____ Street Address: <u>4202 E. Fowler Avenue FAO 126</u> City: <u>Tampa</u> State/Country: <u>FL</u> ZIP: <u>33620-7600</u> Additional name(s) & address(es) attached? Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>January 28, 2000</u>					
4. Application number(s) or patent number(s): If the document is being filed together with a new application, the execution date of the application is: _____ A. Patent Application No(s). <u>09/435,471 filed November 8, 1999</u> Additional numbers attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			B. Patent No(s). _____		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>PEPPER HAMILTON LLP</u> Internal Address: _____ Street Address: <u>600 Fourteenth Street, N.W.</u> City: <u>Washington</u> State: <u>DC</u> ZIP: <u>20005-2004</u>			6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41) <u>\$40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>50-0436</u>		
DO NOT USE THIS SPACE					
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <div style="display: flex; justify-content: space-between;"> <div> <u>Gilberto M. Villacorta, Ph.D., Reg. No. 34,038</u> Name and Registration No. of Person Signing </div> <div style="text-align: center;">  Signature </div> <div style="text-align: right;"> <u>03-23-00</u> Date </div> </div> <div style="text-align: right; margin-top: 10px;"> Total number of pages comprising cover sheet: <u>1</u> </div>					
CMB No. 0851-0011 (exp. 4/94) DC: #143235 v1 (32SR011, WPD)					

Docket No.: 114205.1200ASSIGNMENT

WHEREAS WE, Denise R. Cooper and Niketa A. Patel, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled, INTRODUCTION OF A GLUCOSE-REGULATED INSTABILITY ELEMENT VIA ALTERNATIVE EXON INCLUSION OF PKC β II mRNA IN VASCULAR SMOOTH CELLS, for which an application for United States Letters Patent was filed as Serial No. 09/435,471 on November 8, 1999.

AND WHEREAS, University of South Florida, a corporation of the State of _____ and having an address of 4202 E. Fowler Avenue FAO 126, Tampa, Florida 33620-7600 is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto University of South Florida, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATIONS, We hereby agree with the said assignee that We will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

AND We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

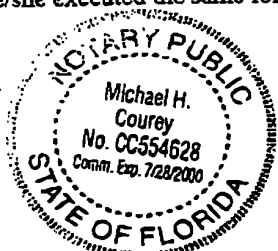
Jan 28, 2000
Date

Denise R. Cooper
Denise R. Cooper

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH) SS:

On this 28 day of JANUARY, 2000, before me personally appeared DENISE R. COOPER, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

SEAL



Michael H. Courcy
Notary Public

My commission expires 7-28-2000

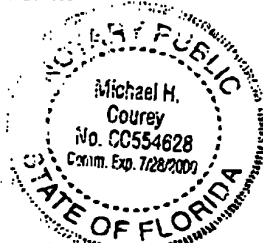
1/28/00
Date

Niketa Patel
Niketa A. Patel

STATE OF FLORIDA
) SS:
COUNTY OF HILLSBOROUGH

On this 28 day of JANUARY, 2000, before me personally appeared NIKETA PATEL, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

SEAL



Michael H. Courey
Notary Public

My commission expires 7-28-2000

STATE OF FLORIDA
) SS:
COUNTY OF HILLSBOROUGH

On this _____ day of _____, 19____, before me personally appeared _____, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires _____